

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Vit-Immune, L.L.C.  
Serial No. Reissue Application of Keller, et al. Examiner:  
U.S. Patent No. 6,262,019  
Filed Herewith Group Art Unit:  
For METHOD OF TREATING GLUTATHATIONE DEFICIENT MAMMALS

REISSUE DECLARATION AND POWER OF ATTORNEY

Vit-Immune L.L.C. by \_\_\_\_\_ as Applicant for Reissue of U.S. Patent No. 6,262,019 ("the '019 patent") issued July 17, 2001 declares that:

1. The entire right, title and interest in the '019 patent is vested in Vit-Immune LLC by an assignment executed on April 29, 1999 by Robert H. Keller and David W. Kirchenbaum. The assignment was recorded in the United States Patent and Trademark Office at reel 9937, frame 0261.
2. The '019 patent claims the benefit of provisional application 60/083,661 filed April 30, 1998.
3. The Applicant has reviewed and understand the contents of the specification and the claims of the '019 patent, including new claims 30-33 presented herewith in a Preliminary Amendment accompanying the Application for Reissue of the '019 patent.
4. The Applicant acknowledges the duty to disclose to the U.S. Patent Office all information known to Vit-Immune L.L.C. to be material to patentability as defined in 37 C.F.R. §1.56.

5. The Applicant believes as patentee the original patent to be wholly or partly inoperative by reason that it had right to claim the subject matter of new claims 30-33 during prosecution of the '019 patent, but as set forth in the accompanying Declaration of coinventors Robert H. Keller and David W. Kirchenbaum, erroneously did not do so.

6. All errors which are being corrected in the present application for Reissue of the '019 patent are without any deceptive intention on the part of the Applicant or Applicant's attorney.

As Assignee of the '019 patent and Applicant of the Reissue Application, Vit-Immune, L.L.C. hereby appoints Joseph C. Sullivan, Reg. No. 18,720; Gerald Levy, Reg. No. 24,419; Ronald E. Brown, Reg. No. 32,200; Marta E. Delsignore, Reg. 32,689; John Gulbin, Reg. No. 33,189; Lindsay Adams, Reg. No. 36,425; Peter W. Latimer, Reg. No. 46,858; and Michael P. Stanley, Reg. No. 47,108, of the firm of PITNEY, HARDIN, KIPP & SZUCH with offices at 711 Third Avenue, New York, New York 10017-4014, as attorneys to prosecute this re-issue application and to transact all business in the Patent and Trademark Office connected therewith.

Send correspondence to:

PITNEY, HARDIN, KIPP & SZUCH LLP  
711 Third Avenue, 20<sup>th</sup> Floor  
New York, NY 10017

Direct telephone calls to:

MARTA E. DELSIGNORE  
(212) 297-5804

I further declare that the foregoing statements made of our personal knowledge are true, and statements made upon information and belief are believed to be true, and that all such statements are made with the knowledge that willful false statements or the like are punishable by fine or imprisonment under Section 1001 of Title 18 of United States code and may jeopardize the validity of the application or any patent issuing thereon.

11-19-01

Date

Vit-Immune L.L.C.

By: David K. Kohnen

Title: Pres.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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DECLARATION UNDER 37 C.F.R. §1.175

We Robert H. Keller and David W. Kirchenbaum declare as follows:

1. We are the coinventors of the subject matter disclosed and claimed in U.S. Patent No. 6,262,019 B1 (the '019 Patent) and for which a reissue patent is sought. We believe that the above-identified patent to be partly inoperative or invalid by reason that the patent claims less than we, the co-inventors, had the right to claim in the patent. We, the coinventors, did not realize at the time the application was drafted that we had the right to additionally claim compositions of matter and systems of administration thereof having an admixture including of N-acetylcysteine, N-acetyl-d-glucosamine and vitamin C present in ratios set forth in new claims 30-33 submitted in the reissue application herewith.

2. The coinventors have reviewed and understand the contents of the specification and claims of the '019 patent, including new claims 30-33 presented herewith in a Preliminary Amendment accompanying the Application for Reissue of the '019 patent.

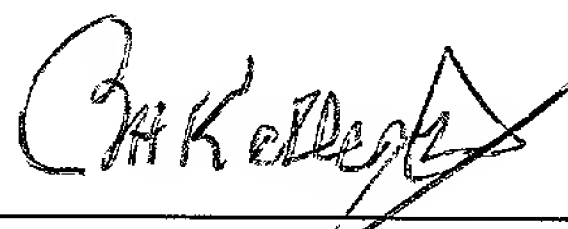
3. All errors being corrected in the reissue application up to the filing of this declaration arose without any deceptive intent on the part of the coinventors.

4. We, the coinventors, acknowledge the duty to disclose to the U.S. Patent Office all information known to us to be material to patentability as defined in 37 C.F.R. §1.56.

We further declare that the foregoing statements made of our own personal knowledge are true, and statements made upon information and belief are believed to be true, and that all such statements are made with the knowledge that willful false statements or the like are punishable by fine or imprisonment under Section 1001 of Title 18 of the United States Code and may jeopardize the validity of this application or any patent issuing thereon.

11-19-01

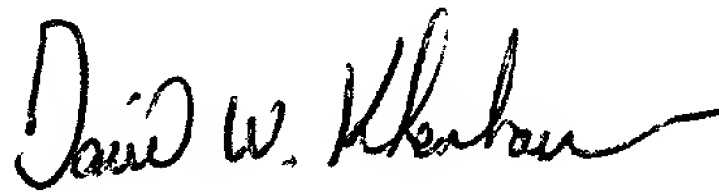
Dated



Robert H. Keller

11-19-01

Dated



David W. Kirchenbaum

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: Robert H. Keller and David W. Kirschenbaum

Application No./Patent No.: 6,262,019 Filed/Issue Date: July 17, 2001

Entitled: METHOD OF TREATING GLU THATIONE DEFICIENT MAMMALS

Vit Immune, L.L.C. a corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☐ the assignee of the entire right, title and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by, percentage) of its ownership interest is \_\_\_\_\_%

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 010471, Frame 0388, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventory(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.
3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

11-19-01

Date

David Kirschenbaum

Typed or printed name

David Kirschenbaum

Signature

Pres.

Title

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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Serial No. Reissue Application of Keller, et al.  
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Examiner:

Filed Herewith

Group Art Unit:

For METHOD OF TREATING GLUTATHIONE DEFICIENT MAMMALS

CONSENT OF ASSIGNEE

Vit-Immune L.L.C. the assignee of U.S. Patent No. 6,262,019 consents to the filing of the present application for reissue of U.S. Patent No. 6,262,019.

Vit-Immune, L.L.C.

11-19-01

Dated

By: David Klenau

Title: Pres